

SENATE BILL 479

M3, P2
SB 243/09 – B&T

0lr2692

By: **Senator Stoltzfus**

Introduced and read first time: February 1, 2010

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2010

CHAPTER _____

1 AN ACT concerning

2 ~~State Capital Projects – High Performance Buildings – Green Globes Rating~~
3 High Performance Buildings – Green Globes Program

4 FOR the purpose of requiring the membership of the Maryland Green Building
5 Council to include certain members under certain circumstances; altering the
6 definition of “high performance building” for purposes of certain requirements
7 for certain State capital projects to include a building that achieves at least a
8 certain Green Globes rating; providing for the application of this Act; and
9 generally relating to ~~the construction and renovation of~~ high performance
10 buildings ~~by the State.~~

11 BY repealing and reenacting, with amendments,
12 Article – State Finance and Procurement
13 Section 3–602.1(a)(2) and 4–809
14 Annotated Code of Maryland
15 (2009 Replacement Volume)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – State Finance and Procurement**

19 3–602.1.

20 (a) (2) “High performance building” means a building that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (i) meets or exceeds the current version of the U.S. Green
2 Building Council's LEED (Leadership in Energy and Environmental Design) Green
3 Building Rating System Silver rating; [or]

4 (II) ACHIEVES AT LEAST A TWO GREEN GLOBES RATING
5 ACCORDING TO THE GREEN GLOBES PROGRAM AS ADOPTED BY THE GREEN
6 BUILDING INITIATIVE; OR

7 [(ii)] (III) achieves at least a comparable numeric rating
8 according to a nationally recognized, accepted, and appropriate numeric sustainable
9 development rating system, guideline, or standard approved by the Secretaries of
10 Budget and Management and General Services.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
12 read as follows:

13 Article – State Finance and Procurement

14 4–809.

15 (a) There is a Maryland Green Building Council.

16 (b) The Council shall include:

17 (1) the Secretary of General Services, or the Secretary's designee;

18 (2) the Secretary of Budget and Management, or the Secretary's
19 designee;

20 (3) the Secretary of the Environment, or the Secretary's designee;

21 (4) the Secretary of Housing and Community Development, or the
22 Secretary's designee;

23 (5) the Secretary of Natural Resources, or the Secretary's designee;

24 (6) the Secretary of Planning, or the Secretary's designee;

25 (7) the Secretary of Transportation, or the Secretary's designee;

26 (8) the Director of the Maryland Energy Administration, or the
27 Director's designee;

28 (9) the Director of the Interagency Committee on Public School
29 Construction, or the Director's designee;

1 (10) the Chancellor of the University System of Maryland, or the
2 Chancellor's designee; and

3 (11) SUBJECT TO SUBSECTION (C) OF THIS SECTION, six members
4 appointed by the Governor to represent environmental, business, and citizen interests,
5 one of whom has expertise in energy conservation or green building design standards.

6 (C) FOR MEMBERS APPOINTED UNDER SUBSECTION (B)(11) OF THIS
7 SECTION, THE NUMBER OF MEMBERS WHO ARE ASSOCIATED WITH LEED
8 (LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) SHALL EQUAL THE
9 NUMBER OF MEMBERS WHO ARE ASSOCIATED WITH THE GREEN GLOBES
10 PROGRAM.

11 [(c)] (D) (1) The term of a member appointed by the Governor is 2 years.

12 (2) The terms of appointed members are staggered.

13 (3) At the end of a term, a member continues to serve until a successor
14 is appointed and qualifies.

15 (4) A member who is appointed after a term has begun serves only for
16 the remainder of that term and until a successor is appointed and qualifies.

17 (5) The Governor may remove an appointed member for incompetence,
18 misconduct, or failure to perform the duties of the position.

19 (6) A member appointed by the Governor may not receive
20 compensation, but is entitled to reimbursement for expenses under the Standard State
21 Travel Regulations, as provided in the State budget.

22 [(d)] (E) (1) The Governor shall appoint a chair from among the Council
23 members.

24 (2) The Council may act with an affirmative vote of nine members.

25 [(e)] (F) Staff support to the Council shall be provided by the Department of
26 General Services, with assistance as necessary to be furnished by other involved
27 agencies and units of State government.

28 [(f)] (G) The Maryland Green Building Council shall:

29 (1) evaluate current high performance building technologies;

30 (2) provide recommendations concerning the most cost-effective green
31 building technologies that the State might consider requiring in the construction of
32 State facilities, including consideration of the additional cost associated with the
33 various technologies;

1 (3) provide recommendations concerning how to expand green building
2 in the State; and

3 (4) develop a list of building types for which green building
4 technologies should not be applied, taking into consideration the operational aspects of
5 facilities evaluated, and the utility of a waiver process where appropriate.

6 **[(g)] (H)** On or before November 1 of each year, the Council shall report to
7 the Governor and the General Assembly, in accordance with § 2-1246 of the State
8 Government Article, as to recommendations for the implementation plan for a higher
9 performance building program in the State and any progress that has been made
10 during the preceding year.

11 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
12 apply to an appointment to the Green Building Council by the Governor in accordance
13 with § 4-809(b)(1) of the State Finance and Procurement Article to fill a vacancy due
14 to the expiration of the term of a member of the Council serving as of July 1, 2010.

15 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take
16 effect July 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.